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7 Attorneys for the United States of America

8 **IN THE UNITED STATES DISTRICT COURT FOR THE**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 **UNITED STATES OF AMERICA,**) No. C-06-6004-SI
12 Plaintiff,)
13 v.)
14 **RUSSELL E. SPITLER, et al.,**) DISCLAIMER OF INTEREST
15 Defendants.) AND ORDER OF DISMISSAL
16

17 Stanley Smagacz by and through the undersigned, hereby notify the Court that he
18 disclaims any interest in the property which is at issue in the above-referenced action.

19 It is hereby stipulated by and among the plaintiff United States of America and Stanley
20 Smagacz, through the undersigned, that Stanley Smagacz be dismissed from this action, that he
21 bear his own costs, including any possible attorneys' fees or other expenses of this litigation.

22 KEVIN V. RYAN
23 United States Attorney

24 /s/ Rosemary Matossian
ROSEMARY MATOSSIAN
25 Attorney for Defendant
 Stanley Smagacz

26 /s/ Thomas Moore
THOMAS MOORE
27 Assistant United States Attorney
 Tax Division

28 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: _____


UNITED STATES DISTRICT JUDGE